

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

PFTTMAN 425377
 (Last Name) (Identification Number)

DAVID LEE
 (First Name) (Middle Name)

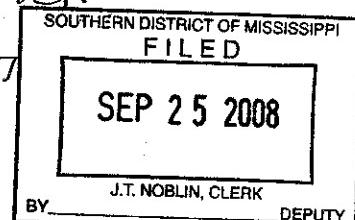
JACKSON COUNTY ADULT DETENTION CENTER

(Institution) 1719 KENNETH Ave., PASCAGOULA, MS 39567
 (Address)

(Enter above the full name of the plaintiff, prisoner, and address
 plaintiff in this action)

COMPLAINT

1:08cv672-HSO-JMR



V.

CIVIL ACTION NUMBER:

(to be completed by the Court)

CITY OF GAUTIER (JERRY COOKSEY, GARY ROBERTS)
 CITY OF MOBILE, ALABAMA (MOBILE POLICE DEPT.)

MOBILE COUNTY, ALABAMA (MOBILE COUNTY SHERIFF'S DEPT.)
 MOBILE CO. METRO JAIL

JACKSON COUNTY (KATHY KING JACKSON,
 BRICE KERR, CHARLES BRADEN,
 TONY LAWRENCE)

(Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes () No ()

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

1. Parties to the action: KEN BROADUS

2. Court (if federal court, name the district; if state court, name the county): U.S. DIST. COURT,
 SOUTHERN DIST., GULFPORT, MS

3. Docket Number: 1:08-CV-211-LG-RHW

4. Name of judge to whom case was assigned: Hon. ROBERT H. WALKER

5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): PENDING

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: DAVID L. PITTMAN Prisoner Number: 425377
Address: 1719 KENNETH AVE., PASCAGOULA, MS 39567

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: _____ is employed as

at _____

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME: _____ ADDRESS: _____

DEFENDANT(S):

- | | |
|------------------------------------|--------------------------------------------------|
| 1. NAME: <u>CITY OF GAUTIER</u> | ADDRESS: <u>3330 HWY 90, GAUTIER, MS 39553</u> |
| 2. NAME: <u>CITY OF MOBILE, AL</u> | ADDRESS: <u>GOVERNMENT ST., MOBILE, AL</u> |
| 3. NAME: <u>MOBILE COUNTY, AL</u> | ADDRESS: <u>CANAL ST., MOBILE, AL</u> |
| 4. NAME: <u>JACKSON COUNTY</u> | ADDRESS: <u>PO BOX 998, PASCAGOULA, MS 39568</u> |



SEE ATTACHMENT ALSO

#2 AND 3 - I DON'T KNOW
THE STREET NUMBERS
AND ZIP CODES.

PARTIES

DEFENDANTS IN ORDER

CITY OF GAUTIER

- JERRY COOKSEY (GAUTIER POLICE DEPT.)
- GARY ROBERTS (GAUTIER MUNICIPAL COURT)

CITY OF MOBILE, ALABAMA

- MOBILE POLICE DEPT.

MOBILE COUNTY

- MOBILE COUNTY SHERIFF'S DEPT.
AND /OR
- MOBILE COUNTY METRO JAIL

JACKSON COUNTY

- KATHY KING JACKSON (JACKSON COUNTY CIRCUIT COURT)
- BRICE KERR (JACKSON COUNTY PUBLIC DEFENDER'S OFFICE)
- CHARLES BRANDEN (JACKSON COUNTY SHERIFF'S DEPT. / ADC)
- TONY LAWRENCE (JACKSON COUNTY DIST. ATTORNEY'S OFFICE)

GENERAL INFORMATION

- A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes () No ()

- B. Are you presently incarcerated for a parole or probation violation?

Yes () No ()

- C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?

Yes () No ()

- D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?

Yes () No ()

- E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?

Yes () No (), if so, state the results of the procedure: I KNEW DON'T KNOW OF ANY IN EXISTENCE. I WAS NEVER GRANTED THE OPPORTUNITY

TO ADDRESS THEM - I'VE WRITTEN LETTERS TO NO AVAL.

- F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:

1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?

Yes () No () SEE ABOVE ANSWER TO E.

2. State how your claims were presented (written request, verbal request, request for forms): I WROTE LETTERS TO THE CIRCUIT COURT JUDGE KATHY JACKSON AND PUBLIC DEFENDER'S OFFICE. I'M NOT CERTAIN AS WHAT REMEDIES EXIST CONCERNING THE GAUTIER PD, MOBILE PD, AND GAUTIER MUNICIPAL COURT; I PRESUME THESE ISSUES MUST ONLY GO AT THIS LETTERS TO PUBLIC DEFENDERS OFFICE IN 2007/08

3. State the date your claims were presented: LETTERS TO CIRCUIT COURT IN 2007, AND SPECIFICALLY TO JUDGE JACKSON IN JULY OF '08.

4. State the result of the procedure: NO RESULTS WHATSOEVER, NO ONE WILL ADDRESS THE ISSUES AT HAND.

AFTER BEING INDICTED, I DON'T KNOW IF THE ISSUE IS EVEN RELEVANT TO THE GAUTIER PD, MOBILE PD, THE GAUTIER MUNICIPAL COURT, OR THE DISTRICT ATTORNEY'S OFFICE, BUT I'M INCLUDING ALL OF THEM BECAUSE I BELIEVE THEY'VE ALL VIOLATED ONE OR MORE OF MY CONSTITUTIONAL RIGHTS.

STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

SEE ATTACHMENTS.

RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

APPROPRIATE RELIEF AS DEEMED NECESSARY BY
COURT CONCERNING ~~PERIODIC~~ ~~RE~~ CORRECTIVE ACTION
AND \$2,000,000 AMERICAN DOLLARS PER
DEFENDANT.

Signed this 22 day of SEPTEMBER, 20 08.

David L. Pittman

DAVID L. PITTMAN 425377

Signature of plaintiff, prisoner number and address of plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

9/22/08
(Date)

David L. Pittman

Signature of plaintiff

STATEMENT OF CLAIM

1/3

CITY OF GAUTIER / JERRY COOKSEY
ON NOVEMBER 15, 2007, LT. DETECTIVE JERRY
COOKSEY OF THE GAUTIER POLICE DEPT., OF THE
CITY OF GAUTIER, MS, ACTING UNDER THE COLOR
OF STATE LAW, IN HIS OFFICIAL CAPACITY AS AN
EMPLOYEE OF THE GAUTIER POLICE DEPT., VIOLA-
TED MY U.S. CONSTITUTIONAL 4TH AMENDMENT
RIGHT BY ISSUING AN ILLEGAL, INVALID WARRANT
FOR MY ARREST WHICH WAS TRANSMITTED TO THE
MOBILE, ALABAMA POLICE DEPT.

THE WARRANT COOKSEY ISSUED AND TRANSMITTED,
WARRANT NO. WA 00-72934, WASN'T "SUPPORTED
BY OATH OR AFFIRMATION" AS CLEARLY SPECIFIED AND
STATED IN THE U.S. CONSTITUTIONAL 4TH AMEND-
MENT IN THE CAPACITY THAT IT LACKED A MAGI-
STRATE JUDGE'S (OR ANY JUDGE'S) SIGNATURE
(HAND).

IN A SEPARATE EVENT, ON 1-23-08, COOKSEY FURTHER
VIOLATED MY U.S. CONSTITUTIONAL 4TH AMENDMENT
RIGHT ONCE AGAIN BY SEARCHING AND SEIZING
A SET OF ASSORTED KEYS WHICH WERE IN MY PER-
SONAL PROPERTY (EFFECTS) AT THE JACKSON COUNTY
ADC, LOCATED AT 1719 KENNETH AVE., PASCAGOULA,
MS 39567. COOKSEY'S ILLEGAL SEARCH AND
SEIZURE WAS COMMITTED W/OUT A WARRANT TO
SEARCH AND SEIZE, NOR WAS I INFORMED OF
THE SEARCH AND SEIZURE, I WASN'T ASKED,

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(EFFECTS)

IF MY PERSONAL PROPERTY COULD BE SEARCHED,
AND I DIDN'T AFFORD ANYONE DIRECTLY OR INDI-
RECTLY, VERBALLY OR IN WRITING, CONSENT TO
SEARCH AND/OR SEIZE ANY ITEM(S) IN MY PER-
SONAL PROPERTY (EFFECTS).

AS A RESULT OF COOKSEY'S COHERENT, PURPOSEFUL
DISRESPECT AND DISREGARD OF MY PRECIOUS, PER-
SONAL U.S. CONSTITUTIONAL 4TH AMENDMENT
RIGHTS, I HAVE BEEN:

- 1) ILLEGALLY CONFINED OR INCARCERATED FOR MORE THAN TEN MONTHS AND, CONSEQUENTLY, COOKSEY'S VIOLATING MY U.S. CONSTITUTIONAL 4TH AMENDMENT RIGHT HAS, IN ADDITION, SIMULTANEOUSLY, VIOLATED MY U.S. CONSTITUTIONAL 5TH AMENDMENT RIGHT BY DEPRIV[ING] [ME] OF LIFE [AND] LIBERTY, W/OUT DUE PROCESS OF LAW: A LEGAL ARREST BEING THE FIRST STEP ON THE LADDER OF DUE PROCESS.
- 2) COOKSEY HAS INCLUDED THE ASSORTED KEYS, WHICH WERE ILLEGALLY SEIZED, AS SO-CALLED EVIDENCE; AND THEY'RE CURRENTLY BEING USED AS EVIDENCE TO PROSECUTE AND POSSIBLY CONVICT ME. AS A RESULT OF THE ILLEGAL SEARCH AND SEIZURE OF THE ASSORTED KEYS, COOKSEY HAS ALSO INFRINGED UPON MY U.S. CONSTITUTIONAL 5TH AMENDMENT RIGHT BY COMPELLING ME TO INVOLUNTARILY "BE A

WITNESS AGAINST [MYSELF]."

STATEMENT OF CLAIM

1/2

CITY OF MOBILE / MOBILE POLICE DEPT.
ON NOVEMBER 15, 2007, AN OFFICER (OR OFFICERS)
OF THE MOBILE POLICE DEPT., OF THE CITY OF
MOBILE, AL, ACTING UNDER THE COLOR OF ~~THE~~
STATE LAW, IN HIS (OR THEIR) OFFICIAL CAPACITY
AS AN EMPLOYEE (OR EMPLOYEES) OF THE MOBILE
POLICE DEPT., VIOLATED MY U.S. CONSTITUTIONAL
4TH AMENDMENT RIGHT BY ILLEGALLY ARREST-
ING ME, BY HONORING AN ILLEGAL, INVALID
WARRANT FOR MY ARREST WHICH WAS TRANSMIT-
TED FROM JERRY COOKSEY OF THE GAUTIER POLICE
DEPT., LOCATED IN GAUTIER, MS.

THE WARRANT THE MOBILE POLICE DEPT. (OR MOBILE
POLICE OFFICERS) HONORED, WHICH WAS TRA-
NSMITTED FROM JERRY COOKSEY OF THE GAUTIER
POLICE DEPT., LOCATED IN GAUTIER, MS, WARRANT
NO. WA00-72934, WASN'T "SUPPORTED BY OATH
OR AFFIRMATION" AS CLEARLY SPECIFIED AND STA-
TED IN THE U.S. CONSTITUTIONAL 4TH AMENDMENT
IN THE CAPACITY THAT IT LACKED A MAGISTRATE
JUDGE'S (OR ANY JUDGE'S) SIGNATURE (HAND).

AS A RESULT OF THE OFFICER'S (OR OFFICERS')
(OF THE MOBILE PD) COHERENT, PURPOSEFUL DIS-
RESPECT AND DISREGARD OF MY PRECIOUS, PER-
SONAL U.S. CONSTITUTIONAL 4TH AMENDMENT
RIGHT, I HAVE BEEN:
1) ILLEGALLY CONFINED OR INCARCERATED ↓

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FOR MORE THAN TEN MONTHS AND, CONSEQUENTLY, THE OFFICER'S (OR OFFICERS') (OF THE MOBILE PD) VIOLATING MY U.S. CONSTITUTIONAL 4TH AMENDMENT RIGHT HAS, IN ADDITION, SIMULTANEOUSLY, VIOLATED MY U.S. CONSTITUTIONAL 5TH AMENDMENT RIGHT BY DEPRIV[ING] [ME] OF LIFE [AND] LIBERTY, w/OUT DUE PROCESS OF LAW: A LEGAL ARREST BEING THE FIRST STEP ON THE LADDER OF DUE PROCESS.

STATEMENT OF claim
MOBILE COUNTY / MOBILE COUNTY SHERIFF'S DEPT
AND/OR MOBILE COUNTY METRO JAIL
ON NOVEMBER 15, 2007, MOBILE COUNTY SHERIFF'S DEPT. PERSONNEL OF MOBILE ~~COUNTY~~ COUNTY, AL, ACTING UNDER THE COLOR OF STATE LAW, IN THEIR OFFICIAL CAPACITY AS EMPLOYEES OF THE MOBILE COUNTY SHERIFF'S DEPT. AND/OR MOBILE COUNTY METRO JAIL, VIOLATED MY U.S. CONSTITUTIONAL 4TH AMENDMENT RIGHT BY ILLEGALLY ACCEPTING AND ARRESTING ME FROM THE CUSTODY OF THE MOBILE POLICE DEPT. AND ILLEGALLY DETAINING ME, BY HONORING AN ILLEGAL, INVALID WARRANT FOR MY ARREST WHICH WAS TRANSMITTED FROM JERRY COOKSEY OF THE GAUTIER POLICE DEPT., LOCATED IN GAUTIER, MS.

THE WARRANT THE MOBILE COUNTY SHERIFF'S DEPT. AND/OR MOBILE COUNTY METRO JAIL PERSONNEL HONORED, WHICH WAS TRANSMITTED FROM JERRY COOKSEY OF THE GAUTIER POLICE DEPT., LOCATED IN GAUTIER, MS, WARRANT NO. WACO-72934, WASN'T SUPPORTED BY OATH OR AFFIRMATION "AS CLEARLY SPECIFIED AND STATED IN THE U.S. CONSTITUTION AL 4TH AMENDMENT IN THE CAPACITY THAT IT LACKED A MAGISTRATE JUDGE'S (OR ANY JUDGE'S) SIGNATURE (HAND).

ASA RESULT OF THE MOBILE COUNTY SHERIFF'S DEPT. AND/OR MOBILE COUNTY METRO JAIL'S

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PERSONELL'S COHERENT, PURPOSEFUL DISRESPECT
AND DISREGARD OF MY PRECIOUS, PERSONAL
U.S. CONSTITUTIONAL 4th AMENDMENT RIGHT,
I HAVE BEEN:

1) ILLEGALLY CONFINED OR INCARCERATED FOR
MORE THAN TEN MONTHS AND, CONSEQUENTLY,
THE MOBILE COUNTY SHERIFF'S DEPT. PERSON-
NEL AND/OR THE MOBILE COUNTY METRO
JAIL'S PERSONNEL VIOLATING MY U.S.
CONSTITUTIONAL 4th AMENDMENT RIGHT
HAS, IN ADDITION, SIMULTANEOUSLY, VIOL-
ATED MY U.S. CONSTITUTIONAL 5th AMEND-
MENT RIGHT BY DEPRIVING] [ME] OF [LIFE
[AND] LIBERTY, w/o CT DUE PROCESS OR LAW:
A LEGAL ARREST BEING THE FIRST STEP ON
THE LADDER OF DUE PROCESS.

CITY OF GAUTIER
JUDGE GARY ROBERTS

1/3

ON NOVEMBER 27, 2007, JUDGE GARY ROBERTS OF THE GAUTIER MUNICIPAL COURT, OF THE CITY OF GAUTIER, MS, ACTING UNDER THE COLOR OF STATE LAW, IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE CITY OF GAUTIER / GAUTIER MUNICIPAL COURT, VIOLATED MY U.S. CONSTITUTIONAL 8TH AMENDMENT RIGHT BY SETTING ME AN EXCESSIVE BAIL, PROHIBITING ME FROM THE RIGHT TO HAVE AND POST A REASONABLE BAIL.

IN A SEPARATE EVENT, ON 12-3-07, ROBERTS INTENTIONALLY AND KNOWINGLY VIOLATED MY U.S. CONSTITUTIONAL 5TH, 6TH, AND 14TH AMENDMENT RIGHTS IN A PRELIMINARY HEARING BY DENYING TO APPOINT ME AN ATTORNEY WHEN I, IN FACT, INFORMED HIM THAT I COULD NOT AFFORD AN ATTORNEY AND THAT I NEEDED AN ATTORNEY IN RESPONSE TO HIS QUESTIONING ME WHETHER I COULD AFFORD AN ATTORNEY.

AS A RESULT OF ROBERTS' COHERENT, PURPOSEFUL DISRESPECT AND DISREGARD OF MY PRECIOUS, PERSONAL U.S. CONSTITUTIONAL 5TH, 6TH, 8TH, AND 14TH AMENDMENT RIGHTS, I HAVE BEEN:

- 1) DEPRIVED OF THE RIGHT TO A REASONABLE BAIL; TO POST SUCH, WHICH AT THAT TIME I COULD'VE POSTED HAD IT BEEN REASONABLE. INSTEAD OF HAVING BEEN TERMINATED FROM MY PLACE OF

2/3

EMPLOYMENT FOR UNEXCUSED AND EXCESSIVE ABSENCES, I COULD'VE MAINTAINED MY EMPLOYMENT, CONTINUED FINANCIALLY SUPPORTING MY CHILDREN, AND HIRED A PAID ATTORNEY TO ASSIST ME IN PREPARING FOR MY DEFENSE AT THE OUTSET OF THIS SITUATION.

- 2) ROBERTS' FLAGRANT ACTIONS IN DENYING ME AN ATTORNEY TO REPRESENT ME IN THE PRELIMINARY HEARING DEPRIVED ME OF THE RIGHT TO ARGUE THE MERITS OF THE CASE IN AN ATTEMPT TO DISMISS THE CHARGES AGAINST ME BASED ON INSUFFICIENT EVIDENCE WHICH DOESN'T EMPIRICALLY VALIDATE THE ALLEGED CLAIMS OF THE ALLEGED VICTIM AND TO SHOW CAUSE TO DISMISS THE CASE BASED ON JERRY COOK'S ACTING IN THE CAPACITY OF A MAGISTRATE JUDGE (OR JUDGE) IN ISSUING A WARRANT FOR ARREST, WHICH WAS ILLEGAL, INVALID, AND A FLAGRANT VIOLATION OF MY 4TH AND 5TH U.S. CONSTITUTIONAL AMENDMENT RIGHTS. ROBERTS' ACTIONS HAS DEPRIVED ME OF LIFE AND LIBERTY w/out INITIATING DUE PROCESS IN ITS PROPER SEQUENCE, AND WHICH COULD ONLY BE ACHIEVED THROUGH DUE PROCESS. HIS ACTIONS OF HAVING DENIED ME AN ATTORNEY, ESP. WHEN I INFORMED HIM THAT I COULDN'T AFFORD AN ATTORNEY AND THAT I NEEDED ONE, IS

A VIOLATION OF DUE PROCESS. AND I, AS A CITIZEN OF THE UNITED STATES, BORN OR NATURALIZED IN THE UNITED STATES AND SUBJECT TO THE JURISDICTION THEREOF WHEREIN I RESIDE, HAVE BEEN DENIED BY GARY ROBERTS (THROUGH HIS VIOLATING OF MY U.S. CONSTITUTIONAL AMENDMENT RIGHTS ABOVE) THE EQUAL PROTECTION OF THE LAWS W/IN THIS JURISDICTION — THE UNITED STATES.

STATEMENT OF CLAIM
JACKSON COUNTY

1/2

KATHY KING JACKSON

FROM AT LEAST 12-4-07 TO 3-27-08, JACKSON COUNTY SUPERIOR COURT JUDGE, KATHY KING JACKSON, OF THE JACKSON COUNTY CIRCUIT COURT, OF JACKSON COUNTY, MS, ACTING UNDER THE COLOR OF STATE LAW, IN HER OFFICIAL CAPACITY AS AN EMPLOYEE OF JACKSON COUNTY VIA THE JACKSON COUNTY CIRCUIT COURT, VIOLATED MY 5TH, 6TH, AND 14TH U.S. CONSTITUTIONAL AMENDMENT RIGHTS BY DELIBERATELY NEGLECTING AND DENYING TO APPOINT ME AN ATTORNEY FOR MORE THAN 3 MONTHS.

AS A RESULT OF JACKSON'S SCHOLARLY, COHERENT, PURPOSEFUL DISRESPECT AND DISREGARD OF MY PRECIOUS, PERSONAL U.S. CONSTITUTIONAL 5TH, 6TH, AND 14TH AMENDMENT RIGHTS, I HAVE BEEN:

- 1) DENIED THE RIGHT TO AN ATTORNEY WHICH WOULD HAVE ASSISTED ME IN PROPERLY, EFFICIENTLY, AND EFFECTIVELY, PREPARE FOR MY DEFENSE.
 - a) AN ATTORNEY COULD HAVE FILED TO HAVE A HEARING TO DEBATE THE DISMISSAL OF CHARGE(S) BASED ON THE U.S. CONSTITUTIONAL 4TH AMENDMENT VIOLATION COMMITTED BY JERRY COOKSEY.
 - b) EVIDENCE (SURVEILLANCE) WHICH WOULD EXONERATE ME IN A PRE-TRIAL HEARING OR JURY TRIAL WAS LOST OR DESTROYED DUE TO A LAPSE OF TIME. THIS EVIDENCE COULD NOT BE PROCURED W/OUT THE ASSISTANCE OF AN ATTORNEY.
 - c) WITNESSES HAVE RELOCATED. AN ATTORNEY COULD HAVE COLLECTED WITNESS NAMES AND CONTACT

2/2

INFORMATION; WITNESS STATEMENTS.

1) AN ATTORNEY COULD'VE FILED FOR A BOND HEARING TO POSSIBLY REDUCE THE EXCESSIVE, UNCONSTITUTIONAL BAIL I WAS SET BY JUDGE GARY ROBERTS, TO A REASONABLE BAIL, AT THE OUTSET OF THIS SITUATION AT WHICH I COULD'VE POSTED.

2) DENIED THE RIGHT TO POTENTIALLY RECEIVE A FAIR TRIAL.

3) DEPRIVED OF DUE PROCESS OF LAW.

4) DENIED THE RIGHT TO RECEIVE AND POST A CONSTITUTIONAL, INEXCESSIVE, REASONABLE BAIL AT THE OUTSET OF MY INCARCERATION.

5) DEPRIVED OF LIFE AND LIBERTY w/out RECEIVING DUE PROCESS OF LAW.

6) AS A CITIZEN OF THE UNITED STATES, BORN OR NATURALIZED IN THE UNITED STATES AND SUBJECT TO THE JURISDICTION THEREOF WHEREIN I RESIDE, DENIED BY SUPERIOR COURT JUDGE JACKSON (THROUGH HER VIOLATING MY U.S. CONSTITUTIONAL AMENDMENT RIGHTS CITED ABOVE) THE EQUAL PROTECTION OF THE LAWS w/in THIS JURISDICTION — THE UNITED STATES.

STATEMENT OF CLAIM

1/3

JACKSON COUNTY

BRICE KERR

FROM AT LEAST 12-4-07 TO 3-27-08, ATTORNEY BRICE KERR OF THE JACKSON COUNTY PUBLIC DEFENDER'S OFFICE, OF JACKSON COUNTY, MS, ACTING UNDER THE COLOR OF STATE LAW, IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE JACKSON COUNTY PUBLIC DEFENDER'S OFFICE, VIOLATED MY U.S. CONSTITUTIONAL 5TH, 6TH, AND 14TH AMENDMENT RIGHTS IN DECIBERATELY NEGLECTING AND REFUSING TO AFFORD ME ASSISTANCE OF COUNSEL.

I BEGAN REQUESTING ASSISTANCE OF COUNSEL FROM THE JACKSON COUNTY PUBLIC DEFENDER'S OFFICE AT THE OUTSET OF MY INCARCERATION. I NEVER PERSONALLY SPOKE w/AN ATTORNEY (DURING THE OUTSET). I SPOKE w/AN INVESTIGATOR FROM THE PUBLIC DEFENDER'S OFFICE, BOBBY JOHNSON, WHO STATED THAT I WOULD NOT RECEIVE AN ATTORNEY UNTIL I WAS INDICTED. I EXPLAINED TO JOHNSON THAT THERE WAS EVIDENCE (SURVEILLANCE) WHICH NEEDED TO BE PROCURED AND WITNESSES WHICH NEEDED TO BE QUESTIONED, BUT JOHNSON INSISTED THAT REGARDLESS OF HOW IMPORTANT MY SITUATION WAS, NO ATTORNEY FROM THE JACKSON COUNTY PUBLIC DEFENDER'S OFFICE WOULD REPRESENT ME UNTIL I WAS INDICTED.

AT THIS POINT, I ASKED FAMILY MEMBERS TO CALL THE PUBLIC DEFENDER'S OFFICE AND REQUEST THAT A PUBLIC DEFENDER COME VISIT ME. AS A CONSEQUENCE, NO PUBLIC DEFENDER VISITED ME, JOHNSON VISITED ME INSTEAD AND, REITERATED THE JACKSON COUNTY PUBLIC DEFENDER'S

OFFICE POSITION IN THE MATTER. I, THEN, TOOK IT UPON MYSELF TO WRITE THE MISSISSIPPI BAR IN EITHER LATE DECEMBER 2007 OR EARLY JANUARY 2008. THE DIRECTOR OF THE BAR, IN A RESPONSE, SUGGESTED THAT I WRITE THE CIRCUIT COURT AND/OR PUBLIC DEFENDER'S OFFICE. I FOLLOWED THE SUGGESTION, BUT RECEIVED NO RESPONSE FROM THE CIRCUIT COURT OR THE PUBLIC DEFENDER'S OFFICE.

FINALLY, ON 2-4-08, BRICE KERR VISITED ME. I EXPLAINED MY SITUATION TO KERR AND EMPHASIZED MY NEED FOR ASSISTANCE OF COUNSEL. HOWEVER, KERR REITERATED EXACTLY WHAT JOHNSON HAD CONVEYED TO ME AND, HE ASSURED ME THAT THE PUBLIC DEFENDER'S OFFICE COULDN'T AND WOULDN'T REPRESENT ME UNTIL I WAS INDICTED. AS A RESULT, I CONTINUED TO WRITE THE BAR. THE BAR HAD NO INFLUENCE WHATSOEVER EXCEPT TO REQUEST THAT KERR VISIT ME. MY NEXT VISIT FROM KERR TRANSPRIRED ON THE LAST SUNDAY IN APRIL. I WAS BEEN INDICTED ON 3-28-08. I DIDN'T RECEIVE THE INDICTMENT UNTIL THE LAST FRIDAY IN APRIL. KERR DIDN'T KNOW I'D BEEN INDICTED. HIS VISITS WERE ONLY TO SATISFY THE REQUEST OF THE BAR.

AS A RESULT OF KERR'S SCHOLARLY, COHERENT, PURPOSEFUL DISRESPECT AND DISREGARD OF MY PRECIOUS, PERSONAL U.S. CONSTITUTIONAL 5TH AND 6TH AMENDMENT RIGHTS,

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I HAVE BEEN:

- 1) DENIED DUE PROCESS.
- 2) DEPRIVED OF LIFE AND LIBERTY w/OUT DUE PROCESS OF LAW.
- 3) DENIED ASSISTANCE OF COUNSEL TO PREPARE FOR MY DEFENSE IN THE CAPACITY THAT EVIDENCE WAS LOST OR DESTROYED AND WITNESSES RELOCATED.
- 4) WHICH #3 HAS HAD A NEGATIVE AND ADVERSE IMPACT ON MY RIGHT OF RECEIVING A FAIR JURY TRIAL.
- 5) DENIED THE RIGHT BY ASSISTANCE OF COUNSEL TO PETITION THE COURT IN A TIMELY MANNER CONCERNING A BOND REDUCTION.
- 6) DENIED THE RIGHT (AND CURRENTLY STILL DENIED THE RIGHT) BY ASSISTANCE OF COUNSEL (BRECK KERR AND ANDREA GALLE) TO PETITION THE COURT TO DISMISS CHARGES DUE TO THE FACT THAT JERRY COOKSEY TWICE VIOLATED MY U.S. CONSTITUTIONAL 4TH AMENDMENT RIGHT AND ONEG VIOLATED MY U.S. CONSTITUTIONAL 5TH AMENDMENT RIGHT DUALLY.
- 7) AS A CITIZEN OF THE UNITED STATES, BORN OR NATURALIZED IN THE UNITED STATES AND AM SUBJECT TO THE JURISDICTION THEREOF WHEREIN I RESIDE, DENIED EQUAL PROTECTION OF THE LAWS WITHIN THIS JURISDICTION - THE UNITED STATES.

JACKSON COUNTY

CHARLES BRADEN

1/1

ON JANUARY 23, 2008, SGT. CHARLES BRADEN OF THE JACKSON COUNTY SHERIFF'S DEPT. AND/OR JACKSON COUNTY ADC, OF JACKSON COUNTY, MS, ACTING UNDER THE COLOR OF STATE LAW, IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE JACKSON COUNTY SHERIFF'S DEPT. AND/OR JACKSON COUNTY ADC, VIOLATED MY U.S. CONSTITUTIONAL 4TH AND 5TH AMENDMENT RIGHTS BY PERMITTING JERRY COOKSEY OF THE GAITHER POLICE DEPT., TO CONFISCATE FROM MY PERSONAL PROPERTY (EFFECTS) A SET OF ASSORTED KEYS w/out MY PERSONAL CONSENT, DIRECT OR INDIRECTLY, WRITTEN OR VERBAL; w/out A SEARCH AND SEIZURE WARRANT.

AS A RESULT OF BRADEN'S COHERENT, PURPOSEFUL DISRESPECT AND DISREGARD OF MY PRECIOUS, PERSONAL U.S. CONSTITUTIONAL 4TH AND 5TH AMENDMENT RIGHTS, I HAVE BEEN:

- 1) DEPRIVED OF DUE PROCESS OF LAW.
- 2) DEPRIVED OF THE RIGHT TO BE SECURE IN MY EFFECTS AGAINST ILLEGAL SEARCH AND SEIZURES.
- 3) MADE TO BE A WITNESS AGAINST MYSELF IN MY CRIMINAL CASE, INVOLUNTARILY, BY ABETTING JERRY COOKSEY OF THE GAITHER POLICE DEPT. TO (OR IN) VIOLATE (OR VIOLATING) MY U.S. CONSTITUTIONAL 4TH AMENDMENT RIGHT.

JACKSON COUNTY
TONY LAWRENCE

1/2

IN OR SUBSEQUENT TO JANUARY 2008, JACKSON COUNTY DIST. ATTORNEY, TONY LAWRENCE, OF JACKSON COUNTY, MS, ACTING UNDER THE COLOR OF STATE LAW, IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE JACKSON COUNTY DIST. ATTORNEY'S OFFICE, VIOLATED MY U.S. CONSTITUTIONAL 5TH AND 14TH AMENDMENT RIGHTS.

JUDGE GARY ROBERTS OF GAUTIER MUNICIPAL COURT AND/OR JERRY COOKSEY OF THE GAUTIER POLICE DEPT., BOTH EMPLOYED BY THE CITY OF GAUTIER, SUBMITTED A CASE AGAINST ME, DAVID L. PETMAN, TO JACKSON COUNTY DIST. ATTORNEY, TONY LAWRENCE, REQUESTING REVIEW BY A JACKSON COUNTY GRAND JURY. LAWRENCE OR ONE OR MORE OF HIS ASSISTANT DIST. ATTORNEYS, UNDER LAWRENCE'S SUPERVISION AND GUIDANCE, STUDIED THE ENTIRE CASE AND PRESENTED IT TO A GRAND JURY.

IN MARCH OF 2008, LAWRENCE OR ONE OR MORE OF HIS ASSISTANT DIST. ATTORNEYS, UNDER LAWRENCE'S SUPERVISION AND GUIDANCE, RECOGNIZED AND UNDERSTOOD THAT A 4TH AMENDMENT RIGHT VIOLATION OF THE U.S. CONSTITUTION HAD OCCURRED TWICE AS A RESULT OF JERRY COOKSEY'S DELIBERATE INDIFFERENCE, DISRESPECT AND DISREGARD OF THE U.S. CONSTITUTION; IT WAS ALSO RECOGNIZED AND UNDERSTOOD THAT AS A RESULT OF THE SECOND 4TH AMENDMENT RIGHT VIOLATION, A U.S. CONSTITUTIONAL 5TH AMENDMENT RIGHT VIOLATION WAS BIRTHED. INSTEAD OF LAWRENCE AND/OR ONE OR MORE OF HIS ASSISTANT DIST. ATTORNEYS DISMISSING THE CASE AGAINST ME DUE TO

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THE ABOVE U.S. CONSTITUTIONAL AMENDMENTS BEING VIOLATED, LAWRENCE AND/OR ONE OR MORE OF HIS ASSISTANT DIST. ATTORNEYS, BEING THE SCHOLARS AND PUNDITS OF LAW THEY ARE, KNOWINGLY AND DELIBERATELY PRESENTED THE CASE AGAINST ME TO A JACKSON COUNTY GRAND JURY (WHO ALL OR THE MAJORITY OF CURRENT VERSED IN LAW), AND IN DOING SUCH, LAWRENCE AND/OR ONE OR MORE OF HIS ASSISTANT DIST. ATTORNEYS DECEIVED, TRICKED, AND MANIPULATED THE ABOVE GRAND JURY TO ISSUE AN INDICTMENT AGAINST ME.

AS A RESULT OF LAWRENCE'S SCHOLARLY, COHERENT, PURPOSEFUL DISRESPECT AND DISREGARD OF MY PRECIOUS, PERSONAL U.S. CONSTITUTIONAL 5TH AND 14TH AMENDMENT RIGHTS, I HAVE BEEN:

- 1) DEPRIVED OF DUE PROCESS OF LAW.
- 2) ILLEGALLY CONFINED OR INCARCERATED.
- 3) DEPRIVED OF LIFE AND LIBERTY w/o/ut RECEIVING DUE PROCESS OF LAW.
- 4) INVOLUNTARILY MADE A WITNESS AGAINST MYSELF.
- 5) FACING A POSSIBLE CRIMINAL FELONY CONVICTION ALTHOUGH I'M ILLEGALLY CONFINED OR INCARCERATED.
- 6) ILLEGALLY INFECTED BY A JACKSON COUNTY GRAND JURY.
- 7) AS A CITIZEN OF THE UNITED STATES, BORN OR NATURALIZED IN THE UNITED STATES AND SUBJECT THEREOF TO THE JURISDICTION WHEREIN I RESIDE, DENIED EQUAL PROTECTION OF THE LAWS w/i/n ITS JURISDICTION — THE UNITED STATES.